

## UNITED STATES DISTRICT COURT

for the

Western District of Virginia

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED

JAN 24 2012

BY: JULIA C. DUDLEY, CLERK  
DEPUTY CLERK

United States of America )

v. )

TSAIKUWN ALDAGO HAIRSTON )

Case No: 4:08CR00022-001

USM No: 12293-084

Date of Previous Judgment: 02/01/2010 )

(Use Date of Last Amended Judgment if Applicable) )

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months is reduced to \_\_\_\_\_.

## I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: \_\_\_\_\_

Amended Offense Level: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Criminal History Category: \_\_\_\_\_

Previous Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

Amended Guideline Range: \_\_\_\_\_ to \_\_\_\_\_ months

## II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain): \_\_\_\_\_

## III. ADDITIONAL COMMENTS

Guideline computations are based on 288 kilograms of cocaine powder; therefore, Defendant is ineligible for a reduction under Amendment 750. Additionally, Defendant's Motion to Appoint Counsel and Motion for a Hearing [ECF No. 179] are both DENIED.

Except as provided above, all provisions of the judgment dated \_\_\_\_\_ shall remain in effect.

IT IS SO ORDERED.

Order Date: 01/24/2012



Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Senior United States District Judge  
Printed name and title